



**CITY COUNCIL  
ATLANTA, GEORGIA**

**SUBSTITUTE ORDINANCE BY  
COUNCILMEMBER H. LAMAR WILLIS**

**04-O-1098**

**AN ORDINANCE TO AMEND BOTH CHAPTER 10, ARTICLE II, DIVISION, 5, SECTION 10-209 AND CHAPTER 14, ARTICLE IX, DIVISION 1, SECTION 14-389 OF THE ATLANTA CODE OF ORDINANCES TO CLARIFY THE OPERATIONAL HOURS OF ESTABLISHMENTS USED FOR ON-PREMISES ALCOHOL CONSUMPTION SO THAT SUCH PREMISES REMAIN SHUT DOWN AFTER ALL PATRONS HAVE CLEARED AND TO CHANGE THE HOURS OF OPERATION OF ADULT DANCEHALLS.**

**WHEREAS**, the City of Atlanta Code of Ordinances does not stipulate whether an establishment used for on-premises alcohol consumption may re-open once the 30-minute limit for clearing patrons as set forth in Sec. 10-209(g) has passed.

**WHEREAS**, some establishments are interpreting Sec. 10-209(g) as permission to re-open once the 30-minute time limit for clearing patrons has passed.

**WHEREAS**, the City of Atlanta Code of Ordinances does not stipulate whether an establishment used for on-premises alcohol consumption may re-open as an adult dancehall once it has cleared patrons within the 30-minute time limit, as the only prohibition of adult dancehall operating hours is between the hours 7:00 a.m. and 9:00 a.m.

**WHEREAS**, all establishments used for on-premises alcohol consumption are not interpreting Sec. 10-209(g) and Sec. 14-389 in the same way; therefore, such establishments are not currently competing for business on a level playing field.

**WHEREAS**, amending both Sec. 10-209(g) and Sec. 14-389 will establish a uniform understanding of the hours of operation for both bars and adult dancehalls.

**WHEREAS**, according to the Atlanta Police Department's Bureau of Licenses and Permits, any changes for the operating conditions of establishments holding alcohol licenses must be in effect at the time renewal applications are provided to applicants if they are to be effective for the following year's licenses.

**WHEREAS**, any changes that Council wishes to make to operating hours of the establishments to go into effect for 2005 licenses must be made before applications are mailed out at the end of September, 2004.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF  
THE CITY OF ATLANTA, GEORGIA** as follows:

**SECTION 1**



That Chapter 10, Article II, Division 5, of the City of Atlanta Code of Ordinances be amended by adding a new subsection (h) that shall read as follows:

(h) *Occupancy time.* Upon clearing patrons from the premises thirty minutes after the sale of alcohol has been discontinued as provided for in subsection (g) of this section, establishments licensed for on premises alcoholic beverage consumption, excluding restaurants as defined in the Code by section 10-1, shall remain closed and shall not re-open earlier than 6:00 a.m. Nothing in this subsection shall be construed as altering the hours alcoholic beverages may be sold as otherwise provided for in this section.

## **SECTION 2**

That Section 14-389 which currently states:

No adult dance or adult dancehall shall be conducted, operated, or otherwise open to the public between the hours of 7:00 a.m. and 9:00 a.m. Monday through Saturday and on Sundays between the hours of 7:00 a.m. and 1:00 p.m.

is amended by deleting said subsection and substituting in lieu thereof the following:

No adult dance or adult dancehall shall be conducted, operated, or otherwise open to the public between the hours 3:00 a.m. and 6:00 a.m. Sunday through Saturday.

## **SECTION 3**

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

## **SECTION 4**

The amendment reflected in this ordinance shall become effective January 1, 2005.

A true copy,

Deputy Clerk

**ADOPTED** as amended by Council  
**APPROVED** by the Mayor

June 21, 2004  
June 24, 2004

RCS# 5822  
6/21/04  
4:51 PM

Atlanta City Council

Regular Session

04-O-1098      AMEND 10-209 & 14-389 CLARIFY OPERAT HRS  
                 FOR ON PREM ESTAB CONSUMP & DANCEHALLS  
                 ADOPT SUB AMEND

YEAS:    12  
NAYS:    0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT    1

NV Smith	Y Winslow	Y Shook	Y Martin	Y Mitchell
Y Starnes	Y Archibong	NV Muller	Y Maddox	Y Norwood
Y Young	Y Fauver	Y Moore	B Mosley	Y Willis

#34

04-0-1098

(Do Not Write Above This Line)

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ADOPTED BY

JUN 2 1 2004

COUNCIL

*Substitute  
As Amended*

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred

6/1/04

Referred To:

*Public Safety*

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee Date *6/1/04*  
Chair *H. L. Willis*  
Referred To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Refer To

Committee

Committee

Date

Date

Chair

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Action  
Fav, Adv, Hold (see rev. side)  
Other

Members

Refer To

Refer To

FINAL COUNCIL ACTION

☒ 2nd

☐ 1st & 2nd

☐ 3rd

Readings

☒ Consent

☐ V Vote

☒ RC Vote

CERTIFIED

CERTIFIED

JUN 2 1 2004

COUNCIL PRESIDENT PROTEM

JUN 2 1 2004

MUNICIPAL CLERK

MAYOR'S ACTION

JUN 2 4 2004

MAYOR